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| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 09/973,956             |
|  |   | Filing Date            | October 11, 2001       |
|  |   | First Named Inventor   | Ronald W. MINK, et al. |
|  |   | Group Art Unit         | 1723                   |
|  |   | Examiner Name          | David L. Sorkin        |
| Total Number of Pages in This Submission   | 8 | Attorney Docket Number | 030793-052100          |

| ENCLOSURES (check all that apply)   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Application Data Sheet<br><input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures<br><input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1. Response to Notice of Non-Compliant Amendment |
| Remarks   |   | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | Jeffrey A. Lindeman, Reg. No. 34,658<br>Nixon Peabody LLP<br>401 9 <sup>th</sup> Street, N.W., Suite 900<br>Washington, D.C. 20004-2128 |
| Signature                                  |   |
| Date                                       | February 1, 2006  |

| CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]   |                             |
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PATENT  
ATTORNEY DOCKET NO.: 030793-052100

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                       |   |                      |
|---------------------------------------|---|----------------------|
| In re Application of:                 | ) |                      |
|                                       | ) |                      |
| Ronald W. MINK, <i>et al.</i>         | ) | Group Art Unit: 1723 |
|                                       | ) |                      |
| Application No.: 09/973,956           | ) | Examiner: D. SORKIN  |
|                                       | ) |                      |
| Filed: October 11, 2001               | ) |                      |
|                                       | ) |                      |
| For: <b>DEVICE FOR COLLECTION AND</b> | ) |                      |
| <b>ASSAY OF ORAL FLUIDS</b>           | ) |                      |

Mail Stop **AMENDMENT**  
Commissioner for Patents  
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Sir:

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

In response to the Notice of Non-Compliant Amendment dated January 17, 2005, Applicants provide the following listing of the claims to comply with the requirements of 37 C.F.R. § 1.121. This Response supplements Applicants' Amendment dated October 27, 2005. Applicants' substantive remarks to the Office Action are found in the October 27, 2005 Amendment.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.